

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

STEVE RIDDICK,) Civil Action No. 7:20-cv-00597
Plaintiff,)
v.) **MEMORANDUM OPINION**
S. BUNCH, *et al.*,) By: Hon. Thomas T. Cullen
Defendants.) United States District Judge

Steve Riddick, a Virginia inmate proceeding pro se, filed this civil rights complaint pursuant to 42 U.S.C. § 1983, alleging that prison officials interfered with a mailing he tried to send to the *Washington Post* newspaper about his lawsuits, in retaliation for his prior litigation efforts. Mailroom officials claimed they never received the mailing. By opinion and order entered January 29, 2021, the Hon. Glen E. Conrad, Senior United States District Judge, summarily dismissed the case under 42 U.S.C. § 1997e(c)(1) for failure to state a claim upon which relief could be granted. *Riddick v. Bunch*, No. 7:20CV00597, 2021 WL 312345, at *1 (W.D. Va. Jan. 29, 2021) (finding that Riddick's factual allegations concerning his missing mailing, taken as true, failed to state any constitutional claim so as to be actionable under § 1983).

Riddick has now filed a "motion for reconsideration [and] to reinstate," arguing that before dismissing the case, the court should review surveillance camera footage that might show what happened to his missing mailing. For reasons explained in the court's prior opinion, however, Riddick's complaint about one mailing being mishandled or lost does not rise to the level of a constitutional violation. Thus, the video footage would have no bearing on the validity of this aspect of his claim. Moreover, video of his mailing could not substitute

for the lack of any factual matter in the complaint suggesting that defendants who handled his mailing knew its contents or disposed of the mailing to retaliate against him for his lawsuits.

In short, the court finds no basis in the motion on which Riddick is entitled to relief from the dismissal order in this case. Therefore, the court will deny his motion seeking reinstatement.

The clerk is directed to forward a copy of this Memorandum Opinion and accompanying Order to Plaintiff.

ENTERED this 14th day of July, 2021.

/s/ Thomas T. Cullen

HON. THOMAS T. CULLEN
UNITED STATES DISTRICT JUDGE